

February 25, 2000

**REMARKS**

The response filed on February 14, 2000 was completely responsive to the outstanding Office Action mailed on August 12, 1999. This supplemental response merely amends the specification and the abstract, reinstates Claim 8, amends Claims 1-12, 14, 19, 20, 23-26, adds new Claims 27-55, and provides a more detailed explanation why the claimed invention is novel and nonobvious over the cited art. Upon amendment, the above-identified application will have three independent claims (Claims 1, 10, and 11) and 50 total claims (Claims 1-12, 14, and 19-55). Therefore, a check for \$540 is enclosed herewith for the fee for 30 excess total claims.

In the claim amendments, the portions being added are underlined; and the portions being deleted are enclosed in braces "{}" as opposed to brackets "[]".

Support for amending Claim 1 can be found in, inter alia, the originally filed version of Claim 1, the last paragraph on page 6 of the originally filed specification, and originally filed Figures II through IV, which show that the OSiR<sub>3</sub> group of the metallocene complex is not directly bonded to Q when Q is Si. Support for amending Claims 2-9, 12, 14, and 19 can be found in, inter alia, the originally filed versions of Claims 2-7, 13, 9, 12, 14, and 19, respectively. Support for amending Claim 10 can be found in, inter alia, the last paragraph on page 6 of the originally filed specification and the originally filed versions of Claims 10, 1, and 8. Support for amending Claim 11 can be

found in, inter alia, the last paragraph on page 6 of the originally filed specification and the originally filed versions of Claims 11, 1, and 8. Support for amending Claim 20 and adding new Claim 46 can be found in, inter alia, lines 8-18 on page 7 of the originally filed specification. Support for amending Claims 23-26 can be found in, inter alia, the originally filed versions of Claims 8 and 9.

Support for new Claims 27-43 and 45 can be found in, inter alia, the originally filed versions of Claims 2-7, 14, 9, 9, 2-7, 14, 9, and 11, respectively. Support for new Claim 44 can be found in, inter alia, the originally filed version of Claim 9 and lines 3-6 on page 6 of the originally filed specification. Support for new Claims 47-50 can be found in, inter alia, lines 19-23 on page 7 of the originally filed specification. Support for new Claim 51 can be found in, inter alia, lines 27-30 on page 7 of the originally filed specification. Support for new Claim 52 can be found in, inter alia, lines 31-32 on page 7 of the originally filed specification. Support for new Claim 53 can be found in, inter alia, the preamble of originally filed Claim 1. Support for new Claims 54 and 55 can be found in, inter alia, originally filed Figures II through IV, which show that the OSiR<sup>"3</sup> group of the metallocene complex is not directly bonded to Q when Q is Si.

In the second paragraph of item 9 and in the last sentence of the first paragraph of item 4 of the outstanding Office Action, the Examiner suggests changing L, L<sub>1</sub>, and L<sub>2</sub> in the specification and the claims to another symbol. To overcome the rejection in item 9 and the objection in item 4, this supplemental response amends the specification and the claims to change L, L<sub>1</sub>, and L<sub>2</sub> to G, G<sub>1</sub>, and G<sub>2</sub>, respectively.

To overcome the rejection in item 7 of the outstanding Office

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Action, this supplemental response amends Claims 1, 10, and 11 to specify that the metallocene complex is supported on the support by means of a bond resulting from a reaction of the OSiR<sup>n</sup>, group of the metallocene complex with a reactive group of the support.

In item 8 of the outstanding Office Action, the Examiner rejects Claims 1-7, 10-12, 14, and 19-22 because Claim 1 does not specify that the support is selected from the group consisting of is selected from the group consisting of silica, alumina, silica-alumina, aluminum phosphates, and mixtures thereof. The Applicants traverse this rejection because the support need not be silica, alumina, silica-alumina, aluminum phosphates or mixtures thereof. For example, lines 3-5 on page 6 of the specification indicate that the support can be any type of inorganic oxide. In fact, any type of support can be used in the present invention if the support has a reactive group that is capable of reacting with the OSiR<sup>n</sup>, group of the metallocene complex, as called for in amended Claims 1, 10, and 11. Those with ordinary skill in the art know or can readily determine if reactive groups on a support are capable of reacting with the OSiR<sup>n</sup>, group of the metallocene complex. The rejection set forth in item 8 should be withdrawn because amended Claims 1, 10, and 11 now specify that the support has a reactive group that is capable of reacting with the OSiR<sup>n</sup>, group of the metallocene complex, and because those with ordinary skill in the art know or can readily determine if a reactive group on a support is capable of reacting with the OSiR<sup>n</sup>, group of the metallocene complex.

The claims as amended in this supplemental response avoid the various alleged problems identified in item 9 of the outstanding Office Action. For example, Claim 20 has been rewritten as a process claim; and amended Claim 20 (as well as new Claims 50-53, which are dependent on amended Claim 20) should be considered on

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the merits if Claim 1 is ultimately found to be allowable because amended Claim 20 is directly dependent on Claim 1.

In items 10-14 of the outstanding Office Action, the Examiner rejects Claims 1-7, 9, 14, and 20-26 for allegedly being anticipated by or obvious in view of the cited documents. The Applicants respectfully traverse these rejections because the prior art does not teach or suggest the invention claimed in Claims 1-12, 14, and 19-55, as set forth in this supplemental response.

Independent amended Claims 1, 10, and 11 are novel and nonobvious because the prior art does not teach or suggest the particular features claimed in these claims. For example, amended Claim 1 calls for a polymerization catalyst component comprising a supported metallocene complex of formula I or II, wherein the metallocene complex is supported on the support by means of a bond resulting from a reaction of the OSiR<sub>3</sub><sup>n</sup> group of the metallocene complex with a reactive group on a surface of the support; and wherein the OSiR<sub>3</sub><sup>n</sup> group is not directly bonded to Q when Q is Si. The prior art does not teach or suggest the catalyst component as claimed in amended Claim 1; and, therefore, independent amended Claim 1 is novel and nonobvious.

Independent amended Claims 10 and 11 are novel and nonobvious because they claim a process for preparing a polymerization catalyst component comprising a supported metallocene complex of formula I or II, wherein the metallocene complex is supported on the support by means of a bond resulting from a reaction of the OSiR<sub>3</sub><sup>n</sup> group of the metallocene complex with a reactive group on a surface of the support. The cited prior art fails to teach or suggest the catalyst component as claimed in amended Claims 10 and 11. Therefore, independent amended Claims 10 and 11 are novel and nonobvious over the prior art.

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All of the other claims (Subclaims 2-9, 12, 14, and 19-55) are novel and nonobvious over the prior art because the prior art fails to teach or suggest the particular features claimed in these subclaims. Subclaims 2-9, 12, 14, and 19-55 are further nonobvious because they each depend on a nonobvious base claim (independent amended Claim 1, 10, or 11).

Finally, this supplemental response amends line 26 on page 2 of the specification to correct an obvious spelling error.

It is submitted that the application is in condition for allowance. Allowance of the application at an early date is solicited.

This response reinstates Claim 8; then amends Claims 1-12, 14, 19, 20, 23-26; and adds new Claims 27-55. The reinstatements, amendments, and additions described in the preceding sentence were done to claim the scope of the invention that the Applicants are entitled to claim and were not necessarily done to overcome the prior art. The cancellation, reinstatements, amendments, and additions described in the first sentence of this paragraph shall not be considered necessary to overcome the prior art.

The Applicants reserve the right to seek protection for any unclaimed subject matter either subsequently in the prosecution of the present case or in a divisional or continuation application.

The Commissioner is authorized to charge any additional fees which may be required or credit overpayment to Deposit Account No. 12-0415 and, in particular, if this response is not timely filed, then the Commissioner is authorized to treat this Response as including a petition to extend the time period pursuant to 37

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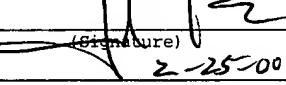
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C.F.R 1.136 (A) requesting an extension of time of the number of months necessary to make this response timely filed and the petition fee due in connection therewith may be charged to deposit account No. 12-0415.

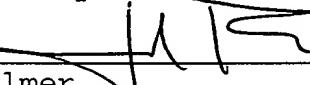
I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first-class mail in an envelope addressed to: Commissioner of Patents and Trademarks, Washington, D.C., 20231 on

February 25, 2000  
(Date of Deposit)

JOHN PALMER  
(Name of Applicant, Assignee  
or Registered Representative)

  
2-25-00  
(Signature)  
(Date)

Respectfully submitted,

  
John Palmer  
Reg. No. 36,883  
LADAS & PARRY  
5670 Wilshire Boulevard  
Suite 2100  
Los Angeles, California 90036  
(323) 934-2300